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Letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to inform you that, under the presidency of Argentina, the Security Council is scheduled to hold an open debate on the subject "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security". The debate will be held on Tuesday, 6 August 2013 and will be presided by the President of the Argentine Republic, Ms. Cristina Fernández de Kirchner. In order to help steer the discussions on the subject, Argentina has prepared the attached concept note (see annex).

I should be grateful if the present letter and the annex thereto could be circulated as a document of the Security Council.

(*Signed*) Maria Cristina **Perceval**
Ambassador
Permanent Representative

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Annex to the letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

Concept note

Background

The Charter of the United Nations establishes the Security Council as the organ with primary responsibility for the maintenance of international peace and security. A role is also foreseen for "regional arrangements", especially regarding the peaceful settlement of disputes. Chapter VIII of the Charter encourages regional arrangements and organizations to contribute towards the maintenance of international peace and security, which includes making every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional organizations before referring them to the Security Council. It also establishes that such efforts shall be consistent with the purposes and principles of the United Nations. The Security Council is encouraged to utilize such regional arrangements or organizations for the maintenance of peace and security, but no enforcement action can be taken without the authorization of the Security Council. In addition, Article 54 provides that the Security Council shall at all times be kept fully informed of "activities undertaken or in contemplation" under regional arrangements or by regional organizations for the maintenance of international peace and security.

The revitalization of the Security Council after the end of the cold war had implications for the relations between the Security Council and regional arrangements and organizations, as is evidenced by several resolutions adopted under Chapters VII and VIII recommending or authorizing the deployment of regional and multinational forces as alternatives to United Nations peacekeeping operations, not only for enforcement but also for peacekeeping.

In 1992, the Security Council requested the Secretary-General to submit his analysis and recommendations on ways of strengthening and making more efficient the capacity of the United Nations for preventive diplomacy, for peacemaking and for peacekeeping (see S/23500). In his report entitled "An Agenda for Peace" (A/47/277-S/24111), the Secretary-General stressed that regional organizations in many cases possess a potential that must be utilized in the service of preventive diplomacy (including early warning systems), peacekeeping, peacemaking and post-conflict peacebuilding. In 1993, the Security Council called upon regional organizations to consider ways and means of enhancing their contributions to the maintenance of international peace and security (see S/25859).

In the "Supplement to an Agenda for Peace" (A/50/60-S/1995/1), in 1995, the Secretary-General identified five forms of cooperation between the United Nations and regional organizations: consultation, diplomatic support, operational support, co-deployment and joint operations. He also identified certain principles on which the relationship between regional arrangements and organizations and the United Nations should be based. These principles include the principle of consultation, the primacy of

the United Nations, effective division of labour, and consistency of approach. The Secretary-General, while stressing that regional organizations "have much to contribute", noted that the political, operational and financial aspects of the cooperation "give rise to questions of some delicacy". The Security Council has endorsed similar principles, an early example of which is the presidential statement of 30 November 1998 in the context of the maintenance of peace and security in Africa (S/PRST/1998/35); and more generally resolution 1631 (2005), the first resolution adopted by the Security Council concerning regional organizations.

In resolution 1631 (2005), the Security Council expressed its determination to take appropriate steps for the further development of cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, and invited the Secretary-General to submit a report on the opportunities and challenges facing such cooperation. In his report, entitled "A regional-global security partnership: challenges and opportunities" (A/61/204-S/2006/590), the Secretary-General noted that the opportunities lie in the establishment of a more effective partnership operating in close cooperation with the Security Council, based on a clear division of labour that reflects the comparative advantage of each organization. As important is the development of a programme of action for capacity-building across the globe.

Subsequently, in resolution 1809 (2008), adopted in the framework of a discussion focusing on Africa and the relationship with the African Union, the Security Council encouraged regional and subregional organizations to strengthen and increase cooperation among them, including efforts to enhance their respective capacities in the maintenance of international peace and security.

The Security Council has held a number of general debates on cooperation between the United Nations and regional organizations. On 11 April 2003, under the presidency of Mexico, the Council met with six regional organizations to discuss the new challenges to international peace and security. Subsequently, on 20 July 2004, Romania organized a new debate on cooperation in stabilization processes. The debate on 17 October 2005, also organized by Romania, led to the adoption of resolution 1631 (2005). On 20 September 2006 a new debate organized by Greece sought to emphasize the importance of better coordinating United Nations activities with regional organizations. Other debates and initiatives often focused on collaboration in the area of peacekeeping, primarily with the African Union.

On 13 January 2010, the Security Council held a debate at the initiative of China on the relationship between the United Nations and regional and subregional organizations. As a result of the debate, the Council adopted a presidential statement (S/PRST/2010/1) in which, while emphasizing the primacy of the Security Council in maintaining international peace and security, it stressed the importance of developing effective partnerships. The Council also expressed its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding, and to ensure the coherence, synergy and collective effectiveness of their efforts. Representatives of a number of regional organizations were invited to participate and to share their experiences and offer suggestions to strengthen cooperation and coordination with the United Nations, namely, the League of Arab States, the African Union, the Association of Southeast Asian Nations, the Collective Security Treaty Organization, the European

Union, the North Atlantic Treaty Organization, the Organization of American States, the Organization of the Islamic Conference, the Organization for Security and Cooperation in Europe, the Pacific Islands Forum and the Shanghai Cooperation Organization.

The Security Council has held since then numerous consultations, interactive dialogues and other meetings with the Organization for Security and Cooperation in Europe, the Peace and Security Council of the African Union, the Political and Security Committee of the European Union as well as other regional and subregional organizations in the context of addressing specific regional or country-specific issues. On 12 January 2012 an open debate was held on the partnership between the United Nations and the African Union. Since 2010, however, the Council has not returned to evaluating comprehensively the issue of United Nations cooperation with regional and subregional organizations in the maintenance of international peace and security.

It is worth mentioning that, in recent years, new subregional arrangements and organizations have played a fundamental role both in conflict prevention and in the promotion and maintenance of international peace and security. Examples include the Community of Latin American and Caribbean States, the Union of South American Nations and the Community of Portuguese-speaking Countries. Other arrangements and organizations have developed new capabilities for action in the maintenance of international peace and security as evidenced in a number of peacekeeping operations, as is the case of the Economic Community of West African States, the Economic Community of Central African States and the Southern African Development Community.

Objectives of the debate

More than three years since the debate convened at the initiative of China, it seems appropriate to conduct an open debate to further strengthen cooperation, dialogue and exchange of information with regional and subregional arrangements and organizations on their capabilities and experience in conflict prevention, peaceful settlement of disputes, peacekeeping and post-conflict peacebuilding, including the consideration of matters such as the rule of law and the fight against impunity, fully in accordance with Chapters VI, VII and VIII of the Charter of the United Nations.

The primary objective of the open debate of 6 August is to consider the role of regional and subregional arrangements and organizations from a broad perspective, exploring options to strengthen the bilateral relationship between the United Nations and the spectrum of regional and subregional organizations. In this regard, the debate would be enriched by the participation of arrangements and organizations representing different regions and subregions, with different capacities and experiences in the prevention or resolution of conflicts, including through the use and support of mediation to prevent the emergence or escalation of new crises.

In this context, and among other issues, participants in the debate may be particularly interested in addressing the following:

(a) The differences in capacity, vision, mandates and objectives of regional and subregional arrangements and organizations pose a clear challenge to elaborating an overarching framework that can serve as the basis for the relationship of these arrangements and organizations with the United Nations. In this regard, nearly 20 years after the "Supplement to an Agenda for Peace" and almost 10 years after "A regional-global security partnership: challenges and opportunities", are the principles

identified by the Secretary-General still valid? Should the implementation of any of his recommendations be reassessed?

(b) What measures may be taken to promote closer cooperation, especially in the fields of early warning, conflict prevention, mediation and post-conflict peacebuilding, that is, with regard to the functions of the Security Council under Chapter VI?

(c) Is it possible to more clearly define the comparative advantages of the United Nations and each regional organization in problem-solving and their contribution to international peace and security? What criteria are relevant today?

(d) Given the increasing demand for United Nations peacekeeping operations and in the context of peacekeeping operations authorized by the Security Council and led by regional organizations, how can better complementarity and effectiveness be achieved in the financial and logistical fields as well as a strict observance of international law, including humanitarian law and international human rights law?

(e) In addition to the consultation mechanisms that are ongoing, in particular with the African Union, the European Union, the Organization of American States and the Organization for Security and Cooperation in Europe, what other mechanisms would help to broaden, extend and strengthen cooperation and dialogue with regional arrangements and organizations beyond partnership agreements already adopted for specific cases? How can consultations be extended to new regional and subregional arrangements and organizations that increasingly assume responsibilities in the maintenance of international peace and security?

(f) How can the capabilities of regional and subregional arrangements and organizations in the maintenance of international peace and security be strengthened?

Format

The format of the session will be an open debate of the Security Council, with the participation of the Secretary-General, to be held on 6 August 2013.

On this occasion, representatives of the Community of Latin American and Caribbean States and the Union of South American Nations, as well as the African Union and the League of Arab States, will be invited to brief the Security Council to share their experiences and lessons learned in the area of peaceful settlement of disputes, early warning mechanisms and conflict prevention, confidence-building measures and cooperation, in conformity with Chapter VIII of the Charter and in the context of the functions of the Security Council under Chapter VI.

The debate will also be open to the participation of representatives of other regional and subregional arrangements and organizations which may express an interest in participating upon invitation by the Security Council under rule 39 of its provisional rules of procedure, as well as to Members of the United Nations.

Expected result

As on the occasion of the last debate on the subject, the Argentine presidency of the Security Council for the month of August will propose the adoption of a presidential statement that, building upon S/PRST/2010/1, will consider the lessons learned on positive cooperation between the United Nations and its Security Council and regional and subregional organizations in maintaining international peace and security, with a view to further strengthening and developing this partnership.